

TIMOTHY H. BELLAS

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Pro Se Interested Party

UNITED STATES DISTRICT COURT

NORTHERN MARIANA ISLANDS

DOE I, et al., On Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

vs.

THE GAP, INC., et al.,

Defendants.

DOE I, et al., On Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

vs.

BRYLANE, L.P., et al.,

Defendants.

DOE I, et al., On Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

Case No. CV-01-0031

CLASS ACTION

**GARMENT
OVERSIGHT BOARD
FINAL APPLICATION FOR
EXTENSION OF TERM**

vs.)	
)	
THE DRESS BARN, INC.)	
)	
Defendants.)	Date:
)	Time:
)	Judge: Alex R. Munson

COMES NOW, the undersigned as Chairman and by unanimous consent of the remaining members of the Garment Oversight Board (GOB) and pursuant to the Court's ongoing supervisory jurisdiction of the Settlement Agreement entered into among the various parties and approved by this Court, submits the following in support of the Request for a Final Extension of Term of the GOB. This Application is based on the attached Declaration of Timothy H. Bellas, any matters which may be adduced at the hearing on this matter (if the Court determines that such a hearing is necessary) and this Application.

Request for Final Extension of Term of the GOB.

1. The Court has, by its three previous Orders, extended the term of the GOB from July 29th 2007 until July 31, 2008.
2. The GOB has been attempting accomplish the implementation of the Plan for the distribution of the residual settlement funds (RSF) to the settlement class members (SCM).
3. The GOB estimated that such distribution would be completed by April 30, 2008 and allowing for an additional 60 day period for SCMs to cash their checks, it could close the accounting for the funds entrusted to the GOB by a report to this Court, indicating the amount that had been cashed and the amount still remaining in trust by July 31, 2008.
4. However, once word spread on Saipan that the checks were about to be sent out by mail, the GOB office was inundated by SCMs who wanted to update their addresses or to

indicate that they were still here on Saipan and that they did not want their checks mailed.

5. The GOB staff, which consists of only one full time translator and two part time employees, was unable to continue to undertake the making out and mailing of the approximately 14,000 checks as prescribed under the Plan.

6. Furthermore, as stated in the accompanying Declaration of Timothy H. Bellas, the originally ordered checks for the process were ordered but due to a miscommunication with the vendor, the GOB only received 6,000 checks instead of the 18,000 that was intended. Therefore, there were insufficient checks to complete the process and the reordering of the remaining checks caused an additional three (3) week delay in the processing of the checks.

7. The GOB has recently received its latest statement from the investment account with the Bank of Hawaii and after withdrawing the \$2,000,000 for the Plan distribution, the residual balance was increased from what was previously stated to be \$47,745.09 to a new balance of \$86,242.13.

8. The GOB, therefore, is able to fund the operating expenses for completing the distribution and the extension period requested herein from the funds remaining and without invading the corpus of the Plan distribution funds. There may a slight shortage in the final months which shall be paid from funds realized from returned or non negotiated distribution checks.

9. The status of the distribution under the Plan, as of the date of this Application, is:

Total checks which were supposed to be mailed to SCMs ----- 13,884

SCMs for whom GOB had no address or incomplete address ----- (1,500)

Total checks to be sent out ----- 12,384

Total number of checks already processed ----- 11,353

All remaining checks to be processed by July 26, 2008 ----- 1,031

10. As of the date this Application the funds sent out to the 11,353 SCMs total \$1,599,495.00.

11. SCMs continue to come to the GOB office to advise that they are still here and would like their check to be given to them on Saipan, this sometimes after the check was already mailed to their off island address which is on file with GOB.

12. Allowing for a 60 day period from the date the remaining 1,031 checks are mailed, in order for them to be cashed and/or returned to the GOB or its account, will mean that the GOB will be unable to render its final accounting of the distribution of the RSF until September 29, 2008.

13. Finally, there some additional issues outstanding, such as taxes previously paid to both the CNMI and the U.S. Government for withholding taxes of SCMs who have never received their checks. Both Plaintiffs' counsel and the GOB are still pursuing this issue with the appropriate governmental bodies.

RELIEF REQUESTED

Wherefore, the members of the GOB respectfully request that this Court, if it deems it appropriate, approve this Final Application for the Extension of the GOB term up to and including October 31, 2008, without any further hearing and on shortened time. If the Court

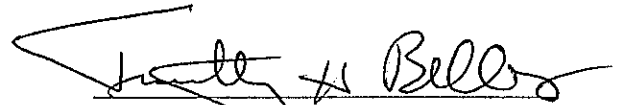
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deems that a hearing is necessary, a date and time space have BEEN included above for the Court to indicate when it would like to here this matter.

Dated this 18 day of July, 2008.

A handwritten signature in black ink, appearing to read "Timothy H. Bellas", written over a horizontal line.

Timothy H. Bellas, Chairman
Garment Oversight Board